

SUMMARY SHEET – RIGHTS OF WAY APPLICATIONS

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AFFECTED GRANTS AND PROPOSED INCOME:

Common Schools: \$11,411
State Normal School: \$3,185

AFFECTED COUNTIES: Beaverhead, Fergus, Rosebud, Teton

Rights of Way Applications

September 15, 2008

APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant: Douglas and Nathan Hubbard
5001 Harrison Avenue
Butte MT 59701

Application No.: 14673

R/W Purpose: a private access road to a single-family residence, including associated outbuildings and for conducting normal farming and ranching activities

Lessee Agreement: N/A (Historic)

Acreage: 3.185

Compensation: \$3,185.00

Legal Description: 30-foot strip through S2 SW4, SW4SE4, Sec. 14 and NW4NW4, Sec. 23, Twp. 11S, Rge. 14W, Beaverhead County

Trust Beneficiary: State Normal School

Classification: III



Application is made pursuant to §77-1-130, Historic Rights of Way.

Rights of Way Applications

September 15, 2008

APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant:	Range Telephone Cooperative, Inc. P O Box 127 Forsyth MT 59327
Application No.:	14674
R/W Purpose:	a buried fiber optic telecommunications line
Lessee Agreement:	ok
Acreage:	2.31
Compensation:	\$693.00
Legal Description:	20-foot strip through Gov. Lots 1, 2, 3 and 4, Sec. 36, Twp. 2N, Rge. 39E, Rosebud County
Trust Beneficiary:	Common Schools
Classification:	III



Applicant is upgrading the telecommunications facilities in the Colstrip area. The proposed line will be installed along an existing roadway, limiting the amount of disturbance and impact to the land. The Department recommends approval.

Rights of Way Applications

September 15, 2008

APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant: Mickel and Esther Negaard
200 Main
Roy MT 59471

Application No.: 14675
R/W Purpose: a private access road to conduct normal farming and ranching activities

Lessee Agreement: N/A (Historic)
Acreage: 1.11 (0.79 as to Sec. 20 and 0.32 as Sec. 29)
Compensation: \$555.00
Legal Description: 12-foot strip through E2SE4, Sec. 20 and N2NE4, SE4NE4, Sec. 29, Twp. 13N, Rge. 21E, Fergus County

Trust Beneficiary: Common Schools
Classification: III



Application is made pursuant to §77-1-130, Historic Rights of Way.

Rights of Way Applications

September 15, 2008

APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant:	Pat Saylor P O Box 1235 Choteau MT 59422
Application No.:	14676
R/W Purpose:	a private access road to a single-family residence, including associated outbuildings and a buried natural gas pipeline and for conducting normal farming and ranching activities
Lessee Agreement:	ok
Acreage:	1.445
Compensation:	\$1,445.00
Legal Description:	20-foot strip through E2SE4, Sec. 9, Twp. 24N, Rge. 5W, Teton County
Trust Beneficiary:	Common Schools
Classification:	III



Applicant is requesting an easement across an existing road to provide access to a single-family residence and farm/ranch lands. The easement will also provide a corridor for the installation of a natural gas pipeline in the future. As this is an existing road, no impacts are expected to occur as a result of the grant of this easement. The Department recommends approval.

Rights of Way Applications

September 15, 2008

APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant:	Gold Creek Cellular of Montana Limited Partnership dba Verizon Wireless 2605 N Ella Rd Spokane WA 99212
Application No.:	14677
R/W Purpose:	a private access road to access a cellular wireless tower facility
Lessee Agreement:	ok
Acreage:	1.445
Compensation:	\$1,445.00
Legal Description:	20-foot strip through E2SE4, Sec. 9, Twp. 24N, Rge. 5W, Teton County
Trust Beneficiary:	Common Schools
Classification:	III




Application for easement is for the same road described above. The cellular tower will be placed on private lands owned by Mr. Pat Saylor. Access to the site will be through the existing road on state land and upon the lands of Mr. Saylor. Minimal impacts will occur as a result of use by both Mr. Saylor and the cellular company. Each applicant will be responsible for providing maintenance proportionate to their share of the use of the road, as well as providing weed control. The Department recommends approval.

Rights of Way Applications

September 15, 2008

APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant:	Robert Dixon, Trustee of the Robert D. Dixon Revocable Trust 700 W Santa Inez Avenue Hillsborough CA 94010
Application No.:	14678
R/W Purpose:	a private access road to a single-family residence, including associated outbuildings and for conducting normal farming and ranching activities
Lessee Agreement:	N/A (Historic)
Acreage:	7.27 (2.42 as to Sec. 11 and 4.85 as to Sec. 14)
Compensation:	\$7,273.00
Legal Description:	40-foot strip through E2SE4, Sec. 11 and E2E2 Sec. 14, Twp. 13S, Rge. 5W, Beaverhead County
Trust Beneficiary:	Common Schools
Classification:	III

 Application is made pursuant to §77-1-130, Historic Rights of Way. As a side note to this application, the state received title to this section in 1988 through a land exchange with the Bureau of Land Management. In the patent document to the State, the BLM reserved an easement for itself and the public across this road to access other lands owned by BLM. A question arose as to whether the BLM reserved an exclusive easement across this road. A review by legal staff has concluded that the easement reserved was not exclusive and, therefore, the Board has the ability to grant easements across this road to others. The Department recommends approval of this easement.
